

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

LUIS ARMANDO HERNANDEZ,
Petitioner,
v.
JEFFREY A. BEARD, *CDCR Dir.*,
Respondent.

No. CV 16-2748 SVW (FFM)
ORDER FOR DISMISSAL OF
PETITION WITHOUT PREJUDICE

On or about August 11, 2017, Petitioner Luis Armando Hernandez filed a request to withdraw his habeas petition currently pending before this Court. (Dkt. 20.) The Court construes Petitioner's request as a notice of dismissal pursuant to Federal Rule of Civil Procedure 41(a)(1). Because Respondent has not filed an answer to the Petition, Petitioner's notice is sufficient in and of itself to dismiss the action without further order of this Court. Fed. R. Civ. P. 41(a)(1)(A)(i).

IT IS THEREFORE ORDERED that this action is hereby dismissed without prejudice.

DATED: November 15, 2017

Presented by:

/S/ FREDERICK F. MUMM
FREDERICK F. MUMM
United States Magistrate Judge



STEPHEN V. WILSON
United States District Judge